

MEMORANDUM OF AGREEMENT
between
OFFICE OF THE STATE PUBLIC DEFENDER
and
**AMERICAN FEDERATION OF STATE,
COUNTY, AND MUNICIPAL EMPLOYEES, MONTANA COUNCIL 9**

This memorandum of understanding is entered into by the American Federation of State County and Municipal Employees, herein referred to as the Union and the Montana Office of the State Public Defender herein referred to as the Department.

The Office of the State Public Defender uses the team leader attorney model in some of its offices throughout the state.

In the team leader attorney model, an experienced public defender is designated by the Regional Deputy Public Defender (RDPD) as the team leader for teams doing comparable cases in an office.

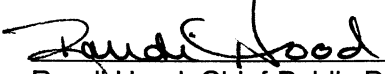
Effective June 19, 2010, employees designated as Team Leader Attorney, as outlined in Office of the Public Defender Administrative Policies No. 170 will receive a \$500 yearly stipend in addition to the rates contained in Schedule A or Schedule B. Employees shall not receive any Team Leader stipend once they are no longer regularly assigned and working as a Team Leader Attorney.


When a vacant or newly created Team Leader Attorney in a Region is to be filled, the Employer shall notify employees of the vacancy. The vacancy announcement may be released to the Region or to all employees of the OPD at the employer's discretion. The notice will state where interested employees are to make application, and the cutoff date for application submittal and the minimum qualifications.

It will be the responsibility of the Regional Deputy Public Defender and the Training Officer to train the Team Leader Attorney on successfully complying with this policy and their job responsibilities.

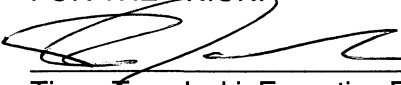
DATED This 13th day of July, 2010.

FOR THE STATE:


Randi Hood, Chief Public Defender
Office of State Public Defender


Paula Stoll, Administrator
State Human Resources Division

FOR THE UNION:


Timm Twardoski, Executive Director
AFSCME Council 9

Office of the State Public Defender

Administrative Policies

Subject: TEAM Leader Attorneys	Policy No.: 170
Title:	Pages: 2
Section:	Last Review Date: 6-01-10
Effective Date: 5-10-10	Revision Date: 6-28-10

1.0 **POLICY**

The Office of the State Public Defender uses the team leader attorney model in some of its offices throughout the state. The responsibilities of the team leader attorney are defined as follows.

2.0 **DEFINITION**

In the team leader attorney model, an experienced public defender is designated by the Regional Deputy Public Defender (RDPD) as the team leader for teams doing comparable cases in an office. Example: an experienced felony public defender is designated team leader for those public defenders handling felony cases in that office.

3.0 **PROCEDURE**

3.1 Team Leader Attorney Responsibilities

- 3.1.1** To hold weekly meetings with the attorney team to discuss cases and case issues;
- 3.1.2** To routinely and individually meet with attorneys to monitor workloads;
- 3.1.3** To designate a second chair for trials, when necessary;
- 3.1.4** To provide mentoring as needed or as requested;
- 3.1.5** To monitor the attorney team's compliance with requirements to keep and enter time on cases;
- 3.1.6** To ensure that attorneys who are assigned to a case have the experience and skills to handle the case. If the attorney does not have the experience and skills, the lead attorney may still assign the case to the attorney if a sufficient mentoring plan is developed and used.
- 3.1.7** To assist the attorney team in recognizing conflict questions and presenting them to the RDPD;
- 3.1.8** To meet at least twice a month with the RDPD to advise him of work load, case, court or legal issues being addressed by the attorney team.

3.2 Additional Team Leader Attorney Responsibilities when the Regional Deputy Public Defender is Unavailable

- 3.2.1** To assign cases to team members;
- 3.2.2** To approve vacation and comp time accrued or used;

3.2.3 To provide guidance and direction to staff and investigators on work related to the team.

4.0 It will be the responsibility of the Regional Deputy Public Defender and the Training Officer to train the team leader attorney on successfully complying with this policy and their job responsibilities.

5.0 CLOSING

Questions about this policy should be directed to the OPD at the following address:

Office of the State Public Defender
Administrative Service Division
44 West Park
Butte, MT 59701
Phone 406-496-6080